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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION  
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 SEAN GODWIN,

15 Defendant.  
16

CR 13-168 YGR

STIPULATION TO CONTINUANCE  
AND EXCLUSION OF TIME UNDER  
THE SPEEDY TRIAL ACT, 18 U.S.C. §  
3161 ET. SEQ.; ORDER

17 IT IS HEREBY STIPULATED, by and between the parties to this action, that the status  
18 hearing date of June 27, 2013, presently scheduled at 2:00 p.m. before the Honorable Yvonne  
19 Gonzalez Rogers, be vacated and the matter be re-set for August 22, 2013.

20 Mr. Godwin's first appearance before the District Court was on April 4, 2013. At that time,  
21 the parties requested that the matter be continued to May 30, 2013 in order to obtain laboratory  
22 reports regarding the controlled substances seized in this case. The case was continued again, by  
23 stipulation, to June 27, 2013 because the government had received some of the relevant reports but  
24 a portion of the seized substances had not yet been analyzed. The government is still waiting for  
25

1 the laboratory analysis of that evidence. Without these laboratory reports it is impossible to  
2 calculate the applicable Sentencing Guidelines range, and, consequently, to negotiate any resolution  
3 of this matter.

4 Additionally, counsel for the government is unavailable on June 24, 2013 because he has a  
5 matter on calendar in front of the Honorable Jeffrey S. White in San Francisco at 2:00 p.m. on that  
6 date. Counsel for Mr. Godwin will be engaged in jury trial between July 8-12, 2013 (CR 11-188  
7 SBA) and July 22-25, 2013 (CR 12-777 CW), and will be out of the office on August 15, 2013.

8 The parties agree and stipulate that the time until August 22, 2013 should be excluded, under  
9 18 U.S.C. §3161(h)(7)(A) and 18 U.S.C. §3161(h)(7)(B)(iv) because the ends of justice served by  
10 the granting of the continuance outweigh the best interests of the public and the defendant in a  
11 speedy and public trial. The continuance is necessary to afford counsel necessary time for effective  
12 preparation and to provide Mr. Godwin and the government continuity of counsel.

13  
14  
15 Date: June 24, 2013

\_\_\_\_\_  
/s/  
ELLEN V. LEONIDA  
Assistant Federal Public Defender  
Counsel for defendant SEAN GODWIN

16  
17  
18 Date: June 24, 2013

\_\_\_\_\_  
/s/  
AARON WEGNER  
Assistant United States Attorney

ORDER

The court finds that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendant in a speedy and public trial. The continuance is necessary to accommodate counsel's preparation efforts and afford the government and Mr. Godwin continuity of counsel. Based on these findings, IT IS HEREBY ORDERED THAT the above-captioned matter is continued to **August 22, 2013 at 9:30am** (specially set time for calendar on this date), before the Honorable Yvonne Gonzalez Rogers, and that time is excluded until August 22, 2013 pursuant to 18 U.S.C. § 3161(h)(7)(a) and 18 U.S.C. §3161(h)(7)(B)(iv) .

IT IS SO ORDERED.

June 24, 2013  
Date

  
HON. YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT JUDGE